

05-29-01 A #2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-58762-20/RFT/RMS/RMK

Anticipated Classification of this Application:

Class: 435 Subclass: 006

Prior Application 09/454,498

Examiner: ZITOMER, S.

Art Unit: 1655

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing a(n)

- ☐ Original
- ☒ Continuation
- ☐ Divisional
- ☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Thomas J. MEADE, Jon F. KAYYEM and Scott E. FRASER
(Names of ALL Applicants)

for NUCLEIC ACID MEDIATED ELECTRON TRANSFER
(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/454,498, filed on December 6, 1999, which is a continuing application of 08/946,679 filed October 8, 1997 (issued as U.S. Patent No. 6,087,100); which is a continuing application of 08/709,263 filed September 9, 1996 (issued as U.S. Patent No. 5,780,234); which is a continuing application of 08/166,036 filed December 10, 1993 (issued as U.S. Patent No. 5,591,578).

1. (a) ☐ Enclosed is a new application.
- (b) ☐ Enclosed is a continuation-in-part application.
- (c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
- (b) ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☐ Enclosed are two (2) Small Entity Affidavits.
- (b) ☐ A Small Entity Affidavit is of record in the prior application.
4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

| | (Col. 1) NO. FILED | (Col. 2) NO. EXTRA | SMALL ENTITY | | OTHER THAN SMALL ENTITY | |
|---|---|-----------------------|--------------|--------------|----------------------------|--------------|
| | | | RATE | FEE | RATE | FEE |
| BASIC FEE | | | | \$355 | | \$710 |
| TOTAL CLAIMS | <u>1</u> - 20 = | 0 | × 9 = | \$ 0 | × 18 = | \$ |
| INDEP CLAIMS | <u>1</u> - 3 = | 0 | × 39 = | \$156 | × 78 = | \$ |
| MULTIPLE DEPENDENT CLAIM PRESENTED | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no | | +130 = | \$ 0 | +260 = | \$ |
| If the difference in Col 1 is less than zero, enter "0" in Col. 2 | | | TOTAL | \$536 | TOTAL | \$710 |

"EXPRESS MAIL" MAILING LABEL
NUMBER

EL758643422US

DATE OF DEPOSIT 5/23/01

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAILPOST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME

Darryl Kriner

SIGNED

11017 U.S. PTO
09/866067

05/23/01

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-58762-12/RFT/RMS/RMK).
6. ☒ Our check in the amount of \$ 536.00 is enclosed.
☐ The filing fee is NOT being submitted with this transmittal letter.
7. ☒ Cancel in this application original claims 2-20 of the prior application before calculating the filing fee.
(At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:

A1 --This is a ☒ continuation ☐ divisional ☐ continuation-in-part
of application Serial No. 08/946,679, filed on 8 October 1997.

9. (a) ☐ sheets of *INFORMAL* drawings are enclosed.
(b) ☒ 4 sheets of *FORMAL* drawings are enclosed.
10. (a) ☒ Priority is claimed under 35 U.S.C. 119 of Serial No. 08/946,679 filed October 8, 1997 (pending); which is a continuing application of 08/709,263 filed September 9, 1996 (issued as U.S. Patent No. 5,780,234); which is a continuing application of 08/166,036 filed December 10, 1993 (issued as U.S. Patent No. 5,591,578).
(b) ☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
11. ☒ The prior application is assigned of record to California Institute of Technology.
12. ☒ The power of attorney in the prior application is to:

Name: Richard F. Trecartin, et al.
Address: Flehr Hohbach Test Albritton & Herbert LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187

- (a) ☒ The power appears in the original papers in the prior application (copy enclosed).
(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
(c) ☐ A new power has been executed and is enclosed.
(d) ☒ Address all future communications to:

Robin M. Silva
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

13. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 08/946,679, filed on 8 October 1997.

Date: 12/6/99

Signature: Robin M. Silva

Robin M. Silva
Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

☐ Attorney or agent of record

☒ Filed under Section 1.34(a)

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

05/31/2001 EHAILE1 00000017 09866067

01 FC:101

710.00 OP

PTO-1556

(5/87)

*U.S. GPO: 2000-468-987/39595